



London printed. Año 1684.



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A
 METHOD
 FOR
Executing the Powers,
 Relating to the
 MILITIA
 AND
 TRAINED-BANDS,
 According to the
Acts of Parliament
 Since the Happy Restauration of
 Our Gracious Sovereign
 K. CHARLES the II.

L O N D O N,
 Printed for John Smith Bookseller in
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Garden. 1684.

A 6

METHOD

FOR

Executing the Powers

Belonging to the

MILITIA

AND

TRAINED-BANDS

As directed by the

Act of Parliament

in relation to the supply of

the Militia and Trained-Bands

W. CHARLES, Esq.

LONDON

Printed by J. G. ALLEN, at the

Printers, in Pall Mall

To the Most Noble HENRY
Duke of *Norfolk*, and Earl
Marshal of *England*, &c.
Constable and Governour
of His Majesties Royal
Castle and Honour of
Windsor, Lord Warden of
Windsor Forest, and Lord
Lieutenant of the Counties
of *Norfolk*, *Surrey*, & *Berks*,
and of the City and Coun-
ty of *Normich*.

May it please your Grace,

SOON after the Happy Re-
turn of the King's Most
Excellent Majesty, by the good

The Epistle Dedicatory.

6 Providence of God, the Wisdom of Parliament (considering the Rise of those Rebettious Principles, that brought such In-
testine Troubles, which (during the late Usurped Governments) had almost brought to Ruin and Destruction this Kingdom; and our Excellent and Well Consti-
tuted Government;) I thought fit to beseech his Majesty that for securing the Peace of the Na-
tion, and preventing further disorders, such Acts (among o-
thers) might pass, which might declare the Sole Supream Power and disposition of the Militia to be the undoubted Right of his Majesty (as by the Laws of England, ever was of his Royal
Pre-

The Epistle Dedicatory.

6

Predecessors Kings and Queens
of England) and that the Mi-
litia and Trained-Bands of the
several Countreies of this King-
dom, might be Exercised with
most safety and Ease to the King,
and his People: and al-
though, the Neglect of put-
ting these Laws in Execution
has made it seem to some Bur-
densome, or Unnecessary to be
revived; however, since your
Grace gave the occasion of
Abstracting these Acts for your
own use (at your Grace's en-
trance on those Eminent Trusts
which it has pleased the King
to place in YOU) this
Piece is humbly Offer'd to your
Grace's Patronage, whereby

7 **The Epistle Dedicatory.**
*it may be rendred more use-
ful to those who are intrusted
with the Subordinate Govern-
ment of the said Militia; which
is the only aym herein, of*

My Lord,

Your Grace's most

Obedient Faithful

Servant

F. N.

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That the Militia is the undoubted
Right of the King.

And that the Kings Majesty, his Heirs
and Successors, may give Commissions of
Lieutenancy to such, as he and they
shall think fit.

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nant, and what is Incident to his single
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CAP. I

CAP. I.

*That the Militia is the
undoubted Right of the
KING.*

THE Sole Supream Power, Per Act. 13, 14, & 15.
Government, Command and
Disposition of the *Militia*, Car. 2d.
and all Forces by Land and Sea, and all
Forts and Places of Strength, is abso-
lutely in the King, and the Parliament,
nor either House, cannot, nor ought
not to pretend to the same; nor can,
nor Lawfully may, Raise or Levy a-
ny War against his Majesty, his Heirs,
or Lawful Successors.

The Kings most excellent Majesty,
his Heirs, and Successors, shall, and
may, from time to time, as occasion
shall require, Issue forth Commissions
of Lieutenancy to such Persons, as he
and they shall think fit to be Lieute-
nants,

nants, (who, if Peers, are stiled Lord Lieutenants,) and may at Will and Pleasure appoint, or displace all Officers, and Deputy Lieutenants.

C A P. II.

Of the Power of the Lord Lieutenant, and what is Incident to his single Authority.

NO Person, being a Peer, shall be capable of Acting, as Lord Lieutenant, or Deputy Lieutenant, till Sworn before (Six at least) Lords of the Privy Council, or such as his Majesty shall appoint to Administer the same. Paragraph 18.

The Lord Lieutenant has full Power and Authority, to call together all the Trained-Bands, at such times, and

Wide Act.
Car. II:
Of Offices
Pag. 15.

and to Arm, Array, and form them into Companies, Troops, and Regiments: And in Case of Insurrection, Rebellion, or Invasion, to Lead, or cause to be Led, conducted, and employed, as well within their respective Counties, Cities, and Places, as also into any other, according as he shall receive Direction from his Majesty, his Heirs, and Successors.

The Lord Lieutenant may alone perform, and cause to be put in Execution, all, and every the Powers in the Acts for the *Militia*.

And all Deputy Lieutenants, Commission Officers, Constables, and other Officers or Ministers Civil, as well as Military, are to Observe, and Obey the Lord Lieutenant.

The Lord Lieutenant has Power to Constitute, Appoint, and give Commissions to such Persons, as he shall think fit to be Colonels, Majors, Captains, and other Commission Officers. And to present to His Majesty such Persons as he shall think fit to

to be Deputy Lieutenants. And is required to appoint a Treasurer or Clerk, or Clerks for receiving and paying all such Monies as shall be Levyed by Vertue of the said Act.

*How Peers
to be
charged.*

No Peer is to be charged to Horse or Foot, nor Assessed, but by 12 or 6 of such Peers as shall be appointed by His Majesty for that purpose.

When Peers have been once so charged and Assessed, then the Penalties may be Levyed and lay'd (as in such Cases is required) by the Deputy Lieutenants; and for want of Satisfaction in a Week, the distress may be sold (rendring the overplus.)

No dwelling House of any Peer of this Realm is to be searched, but by immediate Warrant from his Majesty under his Sign Manual, or in the presence of the Lord Lievtenant, (or one Deputy Lieutenant of the same Division.)

CAP. III.

Of the power of the Deputy Lieutenants.

ALL Deputy Lieutenants, Officers, and Soldiers, ought to be Sworn, before they act in their respective Capacities.

The Lord Lieutenant, and one Justice of the Peace of the same County, may administer the Oaths to Deputy Lieutenants: and two Deputy Lieutenants (when Sworn) may Administer the Oaths to Officers and Soldiers. P. 19.

Of Allegiance, and Supremacy, and Test.

By the Act xxv. *Caroli Secundi Regis*, for preventing dangers from Popish Recusants, It is enacted that all and every Person, and Persons, that shall enter into any Office Military, shall take the Oaths required by the said Act (*viz.* of Allegiance and

and Supremacy, and Subscribe the Declaration) in the high Court of Chancery, or Court of King's Bench, at Westmister, or at the Quarter Sessions, within Three Months after admittance into, or receiving their said Authority and Employment, (at which times) every Person so to be Sworn must produce a Certificate under the hands of the respective Minister and Church-Warden, and make proof of the said Certificate by two credible Witnesses upon Oath: which is to be put on Record, or else such Office to be Void.

Of having taken the Sacrament of the Lords Supper according to the usage of the Church of England.

And if any Person shall Execute any Office after neglecting to be Sworn, as aforesaid, and thereupon be Lawfully Convicted, such shall be incapable and disabled to sue or use any Action, or prosecute any Suit, or be Executor or Administrator, &c. and shall forfeit the sum of 500 £. to be recovered by him, or them, that shall sue for the same.

Provided, That the said Act shall

not

not extend to the Office of High Constable, Petty Constable, Tything-man, Headbrough, Overseer of the Poor, Church-Warden, or any Inferior Civil Officer; or any Office of Forester, Keeper or Bayliff of any Mannor, or Lands.

The Deputy Lieutenants, or the Major part of them, or Three, and in some Cases Two, may put in Execution the Powers in the said Acts, in the absence of the Lord Lieutenant, or by his Direction. Power of the Deputy Lieutenants.

Three Deputy Lieutenants have Power to charge any Person, or Persons, with Horse, Horseman, and Arms, or Foot Souldiers and Arms. How Persons may be charged.

500 l. *Per. An.* in Possession, or 6000 l. Stock, (*ultra* Household Furniture) is to find a Horse, Horseman, and Arms; and so after that rate at discretion. How Estates are to be charged.

50. l. *Per. An.* in Possession, or 600 l. Stock (*ultra* stock upon the Ground), is to find a Foot Souldier, and Arms; and so after that Rate at discretion) or Revenues greater or lesser, and

by joyning Two, Three, or more Persons together, as the Deputy Lieutenants. or the Major part shall think fit. P. 3.

Provided, No person be charged to Horse and Foot in the same County, P. 4.

Provided, that no Person that has not 100 l. *Per. An.* in possession, or 1200 l. Value in personal Estate shall be compellable towards the finding of Horse; nor shall any Estate of 200 l. *Per. An.* in possession, nor personal Estate of 2000 l. Value, be chargeable to the finding of Foot. P. 5.

But any person having 100 l. *Per. An.* in possession, or 1200 l. Value in personal Estate, or under 2400 l. value, (chargeable by the said Act) may be charged towards Foot or Horse at discretion, *Per. Act XV. P. 18.*

*Constables
to furnish
Foot on
Penalty.*

Three Deputy Lieutenants may appoint Constables to provide and furnish sufficient Foot Arms as they shall Assess and charge upon Revenues under

under 50 l. *Per. An.* or Personal Estates less than 600 l. Value.

And may give Power to the Constables to Levy by Distress and Sale, (in Case of Refusal, when so Rated by a Pound Rate (*Act xv. P. 4.*

And may Inflict a Penalty of 10 s. for every Omission of any Constable in such Case. *xv. P. 5.*

And if any Person so Rated shall Refuse or Neglect, to Provide or Pay, according to the Proportion Rated and Signed by Deputy Lieutenants; it shall be lawful for Constables (by Warrant for that purpose) to Levy the same by Distress and Sale, &c.

Where Persons to be charged do not reside in the same County, Notice under Hand and Seal of Three Deputy Lieutenants to the General Agent, or one or two of the most sufficient Tenants shall be sufficient, who are to return an Answer from the Landlord, or else to provide and do, as the Landlord in that Case ought; and in Case of Refusal or Ne-

Tenants to provide in default of Landlords.

gleet, upon every Default are to pay like Penalties as before mentioned.

And all such Tenants may Defalk the same, and such Monies as they shall necessarily expend, out of such Rents as shall be next due to their Landlord, and shall be Indemnified by the said Acts, unless the Landlord make appear within two Months that the Default and Penalty was occasioned by wilful neglect of the Tenant. P. 17.

Provided, That the said Act shall not extend to avoid Covenants between Landlord and Tenant, concerning the finding Horses or Arms, or Paying Rates and Taxes. P. 29.

Forfeitures and Penalties may be Levied, In default of Appearance at Beat of Drum, Sound of Trumpet, or other Summons; to Imprison Five Days, or Inflict a Penalty of xx s. on a Horseman, and x s. on a Foot Souldier.

And may Imprison such as Detain and Imbazil Horse-Arms, or Furniture, till Satisfaction be made. P. 10.

And

And may Imprison for Twenty Days, or Impose a Penalty of 5 s. on Mutineers, or such as do not their Duty as Souldiers, at Mustlers, and Training, for every Default.

And a Penalty not exceeding xx l. on such as refuse or neglect to Furnish sufficient Horse, Horseman, and Arms, and other Furniture; or may cause to be Levied such Sum or Sums of Mony, or Value of such Horse, Arms, or Furniture, to be Employed to the same uses. P. 9.

And a Penalty of 5 l. on such as refuse to send in, or deliver their Horse, Arms, or Furniture, P. 10.

And in like manner the Penalty of 5 l. on such as refuse to provide and furnish sufficient Foot Souldier and Arms. xv. P. 3.

And may Commit to Prison by Warrant, under Hand and Seal, such as refuse to pay the Penalties Inflicted (in Case there be not sufficient Distress to be found) until satisfaction be made. xv. P. 16.

*Power to
commit to
Prison such
as refuse to
pay.*

*Tax for
Trophees,
and Indi-
gent Of-
ficers.*

Three Deputy Lieutenants have Power to lay sitting Rates upon their Respective County and Places, not exceeding the Fourth Part of one Months Assessment (after the Rate of 70000 l. *Per Menssem*, and according to the Rules in the Act made XII. *Car. nunc Regis*) for furnishing Ammunition and other Necessaries.

And may dispose so much thereof, as they shall see fit to the Inferior Officers employed in or about the said Respective Forces, for their Pains and Incouragement.

The Deputy Lieutenants shall observe and obey all such Orders, and Directions, as they shall from time to time receive of the Lord Lieutenant, for putting in Execution the Powers given by the Acts. P. 13.

*Power to
hear com-
plaints.*

Three Deputy Lieutenants have Power to hear Complaints, and to examine Witnesses upon Oath, and give Redress as they see Cause.

And may also examine upon Oath for Discovery of Ability of Persons
to

to be Charged, and of Misdemeanours (other then the Persons themselves to be accused, P. 11.

To which purpose it is requisite to appoint certain Times and Places for Appeals and Complaints, the Second Day of every Quarter Sessions, and in Afternoons at the Assizes.

*Times to
hear Com-
plaints.*

In absence of the Lord Lieutenant, (or otherwise by his Direction) the Deputy Lieutenants, or any Two or more of them, have Power to Train, Exercise, and put in Readiness the Trained Bands, or any Regiment, Company, or Troop. *Per Act xiv. P. 2.*

*2 Deputy
Lieute-
nants
Power to
Train.*

The several Forfeitures, Penalties and Payments imposed (not otherwise by this Act directed) shall and may be Levied (in Case of Default) by War-rant, under the Hands and Seals of the Respective Lieutenants and Deputy Lieutenants, or any Three of them. xv. P. 16. and ought to be employed to the same uses, in default whereof the same was imposed.

*How For-
feitures
and Penal-
ties in ge-
neral may
be levied.*

C A P. IV.

*Ammu-
nition and
Furniture
for Horse.*

EVERY Horseman is to bring a Quarter of a Pound of Powder, and like weight of Bullets, at the charge of those who find the Horse; and 2 s. 6 d. *Per Diem* for Pay. Act xv. P. 7.

Defensive Arms { Back, Breast, Pot, } Pistol Proof.

Offensive Arms { A Sword, } Barrels { 10 }
 { Case of Pistols, } 14 Inches.

Furniture { A Saddle, with Burs and Holsters,
 A Bit, Bridle, Pectoral, and Crupper.

But to the end the Troops may appear like Cavaliers, the Captain may dispence with their Iron Armor, and may admit of Buff Coats, and Belts suitable, Or (if any shall be obstinate) may command such to perform

form their intire Duty without quitting their Iron Armor.

Every Musqueteer is to bring half a Pound of Powder, and like quantity of Bullets, and every Match Lock Three Yards of Match, and every Foot Souldier 1 s. *Per Diem* Pay.

A Musquet { the Barrel 3 Foot.
Gage, 12 Bullets to a l.

Musqueteer { A Collar of Bandeleers,
A Sword.

A Pike of Ash { 16 Foot long, Ferrel
and Shaft included.

Pikeman { A Sword,
Back, Breast, & Headpiece.

But the Captain may dispence with their Iron Armor, in case all agree to appear in suitable Cloath-coats of one Colour, with Waist Buff-Belts; or else may make the Duty strict to such

such as are obstinate, without quitting their Iron Armor.

Persons
charged,
not com-
pelled to
serve in
Person.

Persons charged must find such to perform the Duty (if they serve not in Person) as are qualified and approved by their respective Captain, and must give in their Christian and Sir-Names, that they may be listed, not to be alter'd, nor depart the said Service without leave, on Penalty of Twenty Pounds, or Imprisonment for default of Payment, or sufficient Distress (Subject to Appeal) P. 25.

Every one that shall refuse to pay 2 s. 6 d. Per Diem to his Horseman for such time as he shall be on Duty shall be subject to pay 5 s. Per Diem to such Horseman (if demanded in Six Weeks after Default.)

And likewise 2 s. 6 d. Per Diem to a Foot Souldier, in default of paying 1 s. Per Diem in like manner, xv. P. 2.

Officers, and Inferior Officers, to whom Pay is usually allowed per diem, for so many days as they shall be upon Duty.

Of Horse	{	CAPTAIN
		LIEUTENANT
		CORNET
		QUARTERMASTER
		CORPORALS
		TRUMPETERS

Of Foot.	{	CAPTAIN
		LIEUTENANT
		ENSIGN
		SERJANTS
		DRUMMERS

The

*Times to
Train and
Exercise
single Com-
panies and
Troops.*

The Training and Exercising of single Companies and Troops, not to be above Four times a Year, such shall not be continued in Exercise above the space of Two Days at one time. P. 21.

Unless special Direction be given by his Majesty, or his Privy Council.

*Foot Of-
ficers ex-
empt from
charge.*

Every Commissioned Foot Officer is excused from finding, or contributing towards Horse or Foot (if his Estate be not chargeable with more than one Horse.

The Souldiers of every Company and Troop (when Summoned to appear) after they have been called over, are to be subject to their Superiour Officers, according to the Discipline of War, during the time of their continuing upon Duty, and in the Night time (a Court of Guard being appointed, the Word given and Centries set) Silence and good Orders is to be required, and every Fault

Fault and Disobedience strictly punished.

No General Muster to be above once a Year, at which no Officer or Souldier is to be constrained to stay for above Four Days together from their respective Habitations. P. 21.

*General
Musters.*

And in Case of Invasion, or Drawing out into Actual Service, all Persons charged shall Furnish a Months Pay in Hand, or so much thereof as shall be directed by the Deputy Lieutenants, or any two of them.

*Pay to be
advanced
in Case of
Rebellion.*

For Repayment whereof (and satisfaction to the Officers) Provision is to be made by the King, his Heirs and Successors.

But no Person (who has advanced one Months Pay) is to be charged again with another Month, till he be reimbursed.

Three Deputy Lieutenants, or the Chief Officer upon the place, (as there may be occasion) may charge Carts and Horses, &c. for carrying of Powder, Bullet, Match, and other Materials,

*Carriages,
upon
March of
Regiments.*

Materials, allowing Six Pence a Mile (outward only) for every Carriage with Five Horses, or Six Oxen ; and so proportionably.

And one Penny a Mile for every single Horse that shall be so employed. P. 8.

*Muste-
Master.
Pay.*

Each Souldier Listed, shall pay once a Year such Summ, not exceeding One Shilling for a Horseman and Six Pence for a Foot Souldier, shall be directed under the Hands and Seals of Three Deputy Lieutenants which may be Levied by Distress and Sale of the Goods of the Person charged (in default of Payment. x P. 6.

And every Muster-master ought to attend at least at the Muster of every Regiment and Troop, once a Year, and to take care no Arms be admitted but such as are allowable by the said Acts.

And every Muster-master shall be an Inhabitant of the respective County.

C A P. V.

TWO Deputy Lieutenants, by *of Sei-*
 Warrant under Hand and *zing*
 Seal, may employ such Persons as *Arms in*
 they shall think fit (of which a *Custody*
 Commission Officer, and the Consta- *of Persons*
 ble or his Deputy, &c. of the Parish *suspected.*
 to be two) to search for, and Seize
 all Arms in the Custody of Persons
 whom they shall judge dangerous to
 the Peace of the Kingdom, and se-
 cure such Arms for his Majesties Ser-
 vice, and give accompt thereof to
 the Lord Lieutenant.

But no Search must be between
 Sun Setting, and Sun Rising, except
 in Cities.

Arms so seized may be restored, if *Arms may*
 the Lord Lieutenant, or in his absence *be resto-*
 the Deputy Lieutenants, or two of *red.*
 them shall think fit. P. 14.

All

*Duty of
Constables.*

All High Constables, Petty Constables, Officers and Ministers, are required to be Ayding and Assisting in the Execution of the Powers of the said Acts. P. 15.

And all Persons who shall Act and do any thing in Execution of the Powers in the said Acts, shall be indemnified and saved harmless. xv. P. 13.

*Time limited
for
Suits.*

No Action or Suit shall be brought against any Person for any thing done in Execution of the Powers aforesaid, unless the same be brought in Six Months after Cause and in the proper County. P. 14.

*Not to
Transport
Subjects.*

Proviso, Not to extend to give other Power for Transporting Subjects of this Realm, &c. than by the Laws of *England*.

The respective Lord Wardens of the Cinque Ports, have like Authority and Power within their Precincts as the respective Lord Lieutenants have in the Counties. xv. P. 19.

A Warrant from the Lord
 Lieutenant to the Deputy
 Lieutenants, for Levying
 the Fourth Part of one
 Months Tax.

*The Titles of the Lord Lieutenant be-
 ing put as in Commissions.*

IN pursuance of the Act of Par-
 liament, (Intituled, An Act for
 Ordering the Forces of several Coun-
 ties of this Kingdom made in the
 fourteenth Year of the Regn of
 King Charles the Second) These are
 to will and desire you forthwith, to
 issue Warrants to the several High
 Constables in general, or Petty Con-
 stables in Particular, Charging and
 requiring them to appoint two or
 more sufficient Inhabitants of every
 Parish Town, Tything Liberty or
 Place, within the several hundreds of
 the Division of the said
 County to cause the fourth part of
 D one

one single Month's Assesment after
 the Rate of 70000 l. *per Memsem*
 be equally assessed and laid by
 Pound Rate upon all Estates both
 Real and Personal, according to
 Act made in the Twelfth of his Ma-
 jesties Reign, and to make two Du-
 plicates thereof, which ought to be
 Signed by the Respective Assessor
 one for the Collectors, and the o-
 ther for the Treasurer, and to Collec-
 and Receive the same (with Pow-
 er to distrein in case of Refusal) and
 make Punctual Payment thereof
 to the Treasurer of the
Militia of the said County or his De-
 puty, at such times and places as
 I shall think fit to appoint. Given
 under my Hand and Seal the
 day of _____ in the _____ Year
 the Reign of our Sovereign Lord,
 To my Deputy *Lieutenants* of the
 Division of the County
 or to any three or more
 of them.

after
 by
 A Warrant to require the
 true values of all Estates when
 it may be requisite to take a Re-
 view.

IN Pursuance of the Authority
 derived to us (among others)
 Deputy Lieutenants of the County
 from the

Lord Lieutenant of the said County,
 and according to the Acts of Parla-
 ment for Ordering the Forces of the
 several Counties of this Kingdom.

Give These are to will and require you,
 and every of you forthwith to send
 Precepts to the several Petty Con-
 d, Stables Tything Men or Headbo-
 roughs of every Parish Town, Tyth-
 of Liberty or place, within the hun-
 dreds of charging

and requiring them to appoint two
 or more sufficient Inhabitants of

each Parish Town, Tything or Liberty to make true values of all Estates both Real and Personal, together with the Names of such Persons or their Tenants, who own or occupy and possess the same, fairly written and Subscribed, to the end the respective owners or Occupiers may be equally charged to the finding of Horse or Foot, and Arms according to the Directions of the said Acts, and to make returns of the Duplicates to us or some of the Deputy *Lieutenants* of the said County at the _____ in _____ on _____ the _____ day of _____ next ensuing

To the High Constables
of _____
or to either of them.

A Warrant to Levy Penalties
for refusing to appear at every
Summons.

FOR as much as
 being charged to the finding of
 hath refused or neg-
 lected to send in or deliver the same,
 notwithstanding a due Summons, so
 to do according to the Acts of Par-
 liament for Ordering the Forces of
 the severall Counties of this Kingdom,
 These are to charge and require you
 to demand of the said
 or his Tenant or Tenants,
 the sum of Five Pounds, and
 (in Case of refusal) to Levy the
 same by distress and Sale of the
 goods of the said
 or Tenant or Tenants rendering
 the overplus if any be to the
 owner thereof, and you are to pay
 the same over unto
 the Treasurer, for the said Militia,
 whose

whose Receipt for the same shall be
your Discharge.

To the Constables of

or to either of them.

*A Warrant to Levy Penalties
on such as refuse or neglect to
furnish and provide sufficient
Horse, Horse-Man and Arms
and other Furniture.*

FOR as much as
being charged to furnish and find
hath
and doth refuse and neglect to furnish
and find the same, notwithstanding he
hath had notice so to do according as
is required by the Acts of Parliament
for Ordering the Forces of the sever-
al Counties of this Kingdom, these
are

therefore to will and require you or
either of you to demand of the said
the sum of

Twenty Pounds, and in Case of Refu-
sal to Levy the same sum by distress
and Sale of the Goods of the said

rendring the
overplus (if any be) to the own-
er, and you are to pay the said
Twenty Pounds over to

Treasurer for the Militia
of the said County.

To the Constables of

or to either of them.

F I N I S.